

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *ex rel.* EDGARDO
RIOS, STATE OF NEW YORK *ex rel.* EDGARDO RIOS,
and EDGARDO RIOS, individually,

Plaintiffs,

-against-

MEDALLIANCE MEDICAL HEALTH SERVICES,
INC.; ENTERPRISE RADIOLOGY, P.C., d/b/a
WASHINGTON HEIGHTS IMAGING; LINCOLN
DIAGNOSTICS, LLC; SHAHIN DANESHVAR;
SHAHRIAR DANESHVAR; DANIEL E. BEYDA, M.D.;
and IGOR SHTEIMAN,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: May 13, 2021

17 Civ. 6128 (LTS) (SN)

FILED UNDER SEAL

ORDER

The United States of America having now declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), with respect to the claims raised in the *qui tam* complaint filed by the relator in the above-captioned action;

The State of New York having also declined to intervene pursuant to the New York False Claims Act, N.Y. State Fin. Law § 190(2)(f), with respect to the claims raised in the above-captioned *qui tam* action;

IT IS ORDERED THAT,

1. The complaint shall be unsealed thirty days after entry of this Order and, in the event that the relator has not moved to dismiss the action, service upon the defendants by the relator is authorized as of that date. If the relator voluntarily dismisses the complaint pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure within this thirty-day period, the relator may seek to modify this Order with the consent of the United States and the State of New York or by motion on notice to the United States and the State of New York.

2. The relator will serve upon the defendants this Order and the Notices of Decision to Decline Intervention (“Notices of Declination”) only after service of the complaint.

3. All documents filed in this action shall remain under seal and not be made public or served, except for, thirty days after entry of this Order, the relator’s *qui tam* complaint, this Order and the Notices of Declination.

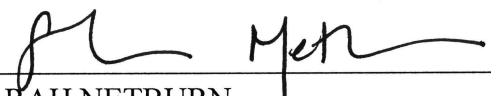
4. Upon the unsealing of the complaint, the seal shall be lifted as to all matters occurring in this action subsequent to the date of this Order.

5. The parties shall serve all pleadings, motions, and notices of appeal filed in this matter, including supporting memoranda, upon the United States and the State of New York. The United States and the State of New York may order any transcripts of depositions. The United States and the State of New York may seek to intervene with respect to the allegations in the relator’s complaint, for good cause, at any time, or seek dismissal of this action.

6. All further orders of this Court in this matter shall be sent to the United States and the State of New York by the relator.

7. Should the relator or any defendant propose that the complaint or any of its allegations be dismissed, settled, or otherwise discontinued, the party or parties proposing such relief must solicit the written consent of the United States and the State of New York before applying for Court approval.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

Dated: May 13, 2021
New York, New York